

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Northern Division)**

IN RE TITANIUM DIOXIDE ANTITRUST
LITIGATION

Master Docket No. 10-CV-00318-RDB

THIS DOCUMENT RELATES TO:
All Actions

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum in Support of Defendants' Motion to Compel Arbitration and Stay Proceedings, Motion to Dismiss for Improper Venue, Motion to Strike Jury Trial Demand, and Renewed Motion to Amend the Class Definition, the Declaration of Colette Daney and the exhibits annexed thereto, the Declaration of Michael B. Quinn and the exhibits annexed thereto, the Declaration of David Sanzalone and the exhibits annexed thereto, the Declaration of James D. Clover and the exhibits annexed thereto, and all prior papers and proceedings herein, Defendants E. I. du Pont de Nemours and Company, Huntsman International LLC, Kronos Worldwide, Inc., and Cristal USA Inc. (formerly known as Millennium Inorganic Chemicals Inc.), will move this Court, before the Honorable Richard D. Bennett, at the Garmatz Federal Courthouse, Suite 4228, 101 West Lombard St., Baltimore, MD 21201, for an Order (i) staying all of the claims of class members with claims subject to an arbitration provision and ordering those class members to proceed in arbitration, pursuant to 9 U.S.C. §§ 3, 4, (ii) dismissing the claims of all class members with claims subject to mandatory forum selection provisions that render this Court an improper forum to adjudicate their claims,

pursuant to Fed. R. Civ. P. 12(b)(3), (iii) striking the jury trial demands of class members that have contractually waived their rights to jury trials, pursuant to Fed. R. Civ. P. 39(a), (iv) modifying the present class definition to exclude from the class each class member that is precluded from pursuing claims in this action as a result of its agreement to an arbitration, forum selection, class action waiver and/or jury waiver clause in one or more of its contracts with the Defendants, pursuant to Fed. R. Civ. P. 23, and (v) granting such other and further relief as the Court may deem just and proper.

Dated: April 18, 2013

Respectfully submitted,

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